



03 DEC 2002

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In re Application of
TORPY et al
Application No.: 09/787,496
PCT No.: PCT/AU99/00791
Int. Filing Date: 17 September 1999
Priority Date: 18 September 1998
Atty. Docket No.: 10032.00
For: THIN FILM HEATING
ELEMENT

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DECISION

This is a decision on applicants' "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed in the U.S. Patent and Trademark Office (PTO) on 28 August 2002, which requests that the application be accepted without the signature of one of the joint inventors, David M. Gehrig, on the grounds that he refuses to execute the application. The petition is **GRANTED** as discussed below.

On 28 February 2002, applicants' initial petition was dismissed on the grounds that applicant had not provided factual proof that the missing joint inventor refuses to execute the application. A review of the present renewed petition, and specifically the accompanying statement of facts by Mr. Paul Le Vavasseur, shows that this requirement has now been satisfied, and as such all of the requirements of 37 CFR 1.47(a) have now been satisfied.

A further review of the application file reveals that the requirements for entry into the national stage in the U.S. under 35 U.S.C. 371 have also been satisfied.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at the last known address of record as set forth in the papers filed 17 October 2001, and a notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The application has an international filing date of **17 September 1999**, under 35 U.S.C. 363 and a date of **17 October 2001**, under 35 U.S.C. 371(c).

This application is being forwarded to the National Stage Processing Branch of the International Division for further processing in accordance with this decision.



Richard R. Cole
Legal Examiner
PCT Legal Office

(703)305-6639
RRC:rrc

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David M. Gehrig
39 Garfield Avenue
Bonnet Bay, NSW 2226
Australia

In re Application of :
TORPY et al :
Application No.: 09/787,496 :
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DECISION

Dear Mr. Gehrig:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.497.

A handwritten signature in cursive script, appearing to read "RRC", written over a horizontal line.

Richard R. Cole
Legal Examiner
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